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June 21, 2019

**VIA ECF**

Honorable Judge Jesse Furman  
United States District Judge  
United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: *Jason Boyce v. Bruce Weber et al.* / 1:19-cv-03825

Dear Judge Furman:

We represent defendants Bruce Weber (“Weber”) and Little Bear, Inc. (“Little Bear”) (collectively, “Defendants”) in connection with the above-referenced matter. We submit this letter to request a two-month extension of the end date for fact discovery (and subsequent dates) for the reasons explained below. We have conferred with counsel for plaintiff, who has consented to only a one-month extension.

As the Court will recall, and as discussed at the May 29, 2019 conference, the parties’ proposed Civil Case Management Plan And Scheduling Order states “[a]ll fact discovery shall be completed no later than September 29, 2019.” However, Defendants also stated “Defendants agree with the schedule, subject to the resolution of Plaintiffs’ late identification of 14 non-party accusers as proposed Rule 404(b) witnesses.” [Dkt. # 16-1] Pursuant to the Court’s May 29, 2019, Civil Case Management Plan And Scheduling Order fact discovery is due by September 29, 2019. [Dkt. # 17].

Pursuant to the Court’s June 6, 2019 Order [Dkt # 19], on June 13, 2019, Plaintiff identified seven “404(b) witnesses that he would most want to call at trial so that Defendants may depose them.” Five of the seven 404(b) witnesses that plaintiff identified on June 13, 2019 are plaintiffs in a case filed against Mr. Weber over one year after this action, which is pending before Judge George Daniels, entitled *Ardolf, et al. v. Weber*, 18-civ-12112 (GBD) (the “*Ardolf* Action”). As such, these 404(b) witnesses are subject to party discovery. In addition, given these five witnesses’ allegations in the *Ardolf* Action it is also necessary to take additional discovery, including depositions, of other witnesses to rebut the allegations (such as alleged witnesses to the 404(b) witnesses’ allegations and 404(b) witnesses’ medical providers) and otherwise demonstrate why their testimony should not be admissible.

Defendants are proceeding diligently to complete discovery in both this action and the *Ardolf* Action. However, given the addition of seven 404(b) witnesses who will testify to seven additional accusations, and mindful of the Court’s admonition that requests to extend deadlines should not be made the last minute, Defendants are now in a position where we believe, in good

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faith, that at a minimum, an additional two months of fact discovery is necessary to both complete discovery on Plaintiff's actual claims and obtain discovery on the seven additional accusers.

Therefore, Defendants respectfully request that the Court extend the current discovery dates in the Civil Case Management Plan And Scheduling Order [Dkt. # 17] by two-months. The proposed new dates are set forth in the following chart:

Current Discovery Dates	New Discovery Dates
Fact discovery due by September 29, 2019.	Fact discovery due by November 29, 2019.
Expert discovery, including reports, production of underlying documents, and depositions, due by November 15, 2019.	Expert discovery, including reports, production of underlying documents, and depositions, due by January 15, 2019
Depositions due by September 29, 2019	Depositions due by November 29, 2019

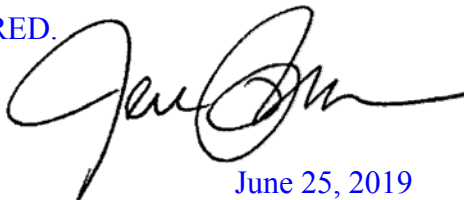
Sincerely,

/s/ Daniel L. Brown

Daniel L. Brown  
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

The discovery deadlines are hereby extended by one month. Accordingly, the deadline to complete fact discovery is EXTENDED to **October 29, 2019**; the deadline to complete depositions is EXTENDED to **October 29, 2019**; and the deadline to complete expert discovery is EXTENDED to **December 15, 2019**. Finally, the pretrial conference previously scheduled for October 3, 2019 is ADJOURNED to **November 6, 2019 at 3:15 p.m.** The Clerk of Court is directed to terminate Docket No. 20.

SO ORDERED.



June 25, 2019